

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

MINUTES OF SPECIAL MEETING

The special meeting of the Board of License Commissioners was held on July 24, 2007 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Commissioner David Arsenault at 6:00 PM. Commissioner Robert Bourque was present. Chairman William Judge was absent.

I. HEARING

Triple Happiness, Inc. d/b/a Fitchburg Jade Bar, 341-343 Main St. for Transfer of General on Premise All Alcoholic Beverages license to Herbie Co., 343 Main St.

Hearing held. Mr. Michael Ciuffetti was present. No one spoke in opposition to or in favor of the application.

Approved 2-0.

II. SUMMONS HEARING

Mr. Chris Bujold, Manager, The Boulder, 880 Main St., Fitchburg

Re: Seasonal outdoor service area

Mr. Chris Bujold was not present. In a letter that was read aloud by Commissioner Arsenault, Mr. Bujold requested a continuance of the hearing to September 5, 2007.

Hearing continued to September 5, 2007 2-0.

And any other matter that may come before the Commission as time permits.

Late Filed Application:

Sandra Fortunato for Special One Day License to sell/serve All Alcoholic Beverages for a Fundraiser – Celebration of Life Dominic Fortunato from 1PM to 6PM on August 11, 2007 at Saima Park.

Approved 2-0.

Continued review of application by Fitchburg Sister City for Special One Day License to sell/serve Wine and Malt Beverages at Fitchburg Sister City Bierfest from 12Noon to 10PM on August 25, 2007 at Saima Park.

Mrs. Marcia Bellerman was present. Mrs. Bellerman stated that the application is being withdrawn due to the requirement of TIPS certification of the bartenders being cost prohibitive.

Ms. Patricia Bramato, Richardson Rd. resident.

Ms. Bramato was present to voice a complaint against the Laotian Temple on Richardson Rd. Her complaint was that the party that was held on July 21 and 22, 2007 involved a great deal of noise and disruptive behavior on the part of the party-goers. A license to serve alcohol at the party had been granted by the Board of License Commissioners. Ms. Bramato stated that she complained about the noise at the parties that were held last year and that her neighbors have complained also. She stated

that no one in the neighborhood can enjoy their yard when the parties are going on because of the excessive noise, parking problems and generally disruptive behavior of the party-goers. She brought a tape recording of the noise as heard from inside her home and a photograph of some activity that occurred. She stated that did call the police to complain on the day of the party.

Motion to rescind the vote taken on July 9, 2007 to approve the Special One Day license application of Phop Xayphakatsa for Special One Day All Alcoholic Beverages on August 18 & 19, 2007 and September 22 & 23, 2007 and send a certified letter to Mr. Xayphakatsa informing him that he no longer has a license to serve alcohol at the events scheduled for the aforementioned dates was passed by vote of 2 -0.

Mr. Christopher Iosua to discuss opening of Café Destare.

Mr. Iosua was present to state that Café Destare was opening that evening. A discrepancy appears between the occupancy number stated in his premises description on his liquor license and the actual occupancy permit signed by the Fire Chief and Building Inspector. He explained that the occupancy number on his liquor license was determined by him during the license transaction process and was inaccurate. It was discussed by the Commissioners with Mr. Iosua that the occupancy number on the occupancy permit is the true allowable occupant load. It was discussed that no action need be taken at this time, that the establishment may open and that if there is any question about the occupancy load, the signed occupancy permit would be the final answer and not the premises description on the liquor license.

The meeting adjourned at 6:57 PM.

Respectfully submitted,

Anna M. Farrell, Clerk
Approved:

Robert A. Bourque

David F. Arsenault